

**TOWN PLAN AND ZONING COMMISSION SPECIAL MEETING
MONDAY, JUNE 2, 2014 – LEGISLATIVE CHAMBER, ROOM 314,
TOWN HALL, WEST HARTFORD, CT 06107**

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

ATTENDANCE: Kevin Ahern, Chair; Commissioners: Jeffrey Daniels, Paul Freeman, Michael Seder; Alternates: Liz Gillette and Michele Maresca; Todd Dumais, Town Planner/Secretary to TPZ; Patrick Alair, Corporation Counsel; Cathy Dorau, Associate Planner.

ABSENT: Kevin Prestage, Vice-Chair; Alternate: O'Donnell

**ADJOURNMENT: Motion/Seder; Second/Daniels (Gillette seated for Prestage)
Vote: (5-0). Meeting adjourned 12:40AM**

MINUTES:

1. Approval of Minutes:

- a. Minutes of Regular Meeting, Monday, May 5, 2014. (Motion/Freeman; Second/Seder; (Gillette seated for Prestage; Maresca seated for O'Donnell) Vote: 5-0.)

NEW BUSINESS:

Trout Brook Drive (Trout Brook Multi-Use Trail) - Application (IWW #1003) of the Town of West Hartford (Mark McGovern, Director of Community Services) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Trout Brook). The applicant is proposing to construct a ten (10) foot wide bituminous multi-use trail along the west side of Trout Brook Drive between Quaker Lane South and Jackson Avenue. (Submitted for IWWA receipt on June 2, 2014. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Freeman; Second/Daniels) (Gillette seated for Prestage) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on Wednesday, July 2, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

85 Memorial Road (aka 111 Memorial Road) – Rizzuto’s Italian Restaurant & Bar –
Application (SUP #1111-R2-14) of William Rizzuto, Restaurant Owner (Blue Back Square, LLC, R.O.) requesting Special Use Permit approval to authorize an increase in the outdoor dining area from forty-eight seats (48) to fifty-two (52) seats. A portion of the outdoor dining will be relocated to the front of the restaurant. (Submitted for TPZ receipt on June 2, 2014. Suggest required public hearing be scheduled for July 2, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Freeman; Second/Daniels) (Maresca seated for Prestage) to schedule this matter for public hearing on Wednesday, July 2, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

701 Farmington Avenue – Application (SUP #1259) of Educational Playcare (Congregational Beth Israel, R.O.) requesting Special Use Permit approval to operate a daycare with a licensed capacity of one hundred seventy-seven (177) students. (Submitted for TPZ receipt on June 2, 2014. Suggest required public hearing be scheduled for July 2, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Freeman; Second/Seder)(Gillette seated for Prestage) to schedule this matter for public hearing on Wednesday, July 2, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

3115 Albany Avenue – Application (SUP #1260) of Deercliff Land Preservation Trust, Inc. (William Aston, Buck & Buck LLC, Contact) requesting Special Use Permit approval to construct and operate an aircraft landing site per Section 177-16.9 of the West Hartford Code of Ordinances. A new ground level concrete pad will be added to the existing graded and seeded lawn area. All standards set forth by the US Department of Transportation, Federal Aviation Administration Advisory (Circular No. 150/5390-2C) will be followed. (Submitted for TPZ receipt on June 2, 2014. Suggest required public hearing be scheduled for July 2, 2014.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Freeman; Second/Daniels) (Maresca seated for Prestage) to schedule this matter for public hearing on Wednesday, July 2, 2014 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

**OLD BUSINESS SCHEDULED FOR PUBLIC HEARING AND DECISION ON
JUNE 2, 2014:**

2 Ferncliff Drive – Application (IWW #998) of ZAP Group, LLC (G. Patchen, Contact) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on April 7, 2014. Required public hearing scheduled for May 5, 2014. Public hearing postponed at the applicant’s request to June 2, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the IWWA acted by **unanimous vote (5-0)** (Motion/Freeman; Second/Daniels)(Maresca seated for Prestage) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. **The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.**
2. **A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.**

134 Norwood Road - Application (SUP #1255) of The Hartford Golf Club (Brian Higgins, General Manager) seeking a Special Use Permit to install a sand storage container (sand silo) which will disperse clean, dry, and uncontaminated top dressing sand. (Submitted for TPZ receipt on May 5, 2014. Required public hearing scheduled for June 2, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (Motion/Seder; Second/Freeman)(Gillette seated for Prestage) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
3. The location of the sand storage container is to be determined by the applicant based on the two (2) proposed locations presented with the application.

425 Oakwood Avenue (Charter Oak International Academy) – Application (SUP #1256) of the Town of West Hartford (Robert Palmer, Director of Plant & Facilities Services) seeking a Special Use Permit to allow for the demolition of the existing Charter Oak School and the construction of a state-of-the-art, energy efficient two-story elementary school and associated site amenities and improvements including utilities, drainage, landscaping, playgrounds, parking areas, driveways and sidewalks. (Submitted for TPZ receipt on May 5, 2014. Required public hearing scheduled for June 2, 2014. Public hearing closed and decision tabled to June 11, 2014.)

Motion to table decision to July 11, 2014. Motion/Daniels; Second/Freeman (5-0). (Gillette seated for Prestage). Public hearing closed and decision tabled to June 11, 2014.

75 Isham Road - Application (SUP #1254) of West Hartford World of Beer (WOB) LLC (Glen Straub, Contact) seeking a Special Use Permit to authorize a thirteen (13) seat outdoor dining area. The outdoor dining area will include a permanent retractable canopy, an umbrella, 42” high railing enclosure and propane heating units. No speakers are proposed. (Submitted for TPZ receipt on May 5, 2014. Required public hearing scheduled for June 2, 2014.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **majority vote (4-1)** (Motion/Seder; Second/Daniels)(Gillette seated for Prestage)(Daniels voted “no”) to **APPROVE** the subject application. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of and 177.37.2 of the West Hartford Code of Ordinances.
2. Plans on file shall guide the appearance and operation of the outdoor dining area.
3. The applicant shall comply with the revised operational statement. This operational statement shall be stripped onto the final plan.
4. Plans will reflect the reduction of outdoor dining seats from thirteen (13) to the approved twelve (12).
5. This letter of approval shall be stripped onto the final plan.

93 Waterside Lane - Application (IWW #1002) of Thomas H. Piquette (R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area (Woodridge Lake). The applicant is proposing an addition to the rear of the home and to the garage along with a covered entry. A new driveway is proposed with associated grading. A majority of the site improvements fall within the 150’ regulated area. (Submitted for IWWA receipt on May 5, 2014. Determined to be potentially significant and set for public hearing on June 2, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/Freeman; Second/Seder) (Maresca seated for Prestage) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a

wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

93 WATERSIDE LANE
INLAND WETLAND APPLICATION IWW#1002
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **93 Waterside Lane** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1002** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, the applicant's engineer, Allen Bongionvanni, has submitted a report received April 22, 2014.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and
- [8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent

flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **93 Waterside Lane**.

This permit is issued and made subject to the following conditions:

- 1) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) Town Engineering Division shall receive copies of all material received by IWWA and DEEP.
- 3.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements.
- 5.) This IWWA permit approval shall be stripped onto the final set plan.
- 6.) The applicant shall retain a professional engineer to oversee construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.

SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

- 1) The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all sedimentation and erosion control measures are adequately in place and effective. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
- 2) Removal of topsoil will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer. The applicant's engineer shall certify that all erosion and sedimentation controls have been installed according to the approved plan.
- 3) Disturbed areas that will remain idle for extended periods shall be mulched or temporarily seeded for erosion control. In addition, the site contractor shall keep an adequate supply of mulch on site at all times. The Director of Community Services or his designee may order the application of mulch to any area which may have erosion potential.
- 4) The top soil will be stockpiled only in an approved location and shall be contained by baled hay or screen filters which will be installed and maintained around the entire perimeter.
- 5) No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
- 6) Filters or hay bales shall be installed around all catch basins inlet grates.
- 7) During construction, outlets of the drainage system shall be protected by hay bale filtration screens or splash pools.
- 8) As soon as rock and earthwork has been completed and established and the major utility installation finished, the base course of asphalt shall be properly installed to prevent further erosion.
- 9) The accumulated sediment in stilling basins or sediment traps shall be removed on a regular basis.
- 10) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee and shall include the inclusion of an anti-tracking pad at the front of the site.
- 11) The placement and maintenance of hay bales, sediment screens and other erosion and sediment control measures must meet or exceed specifications set forth in 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, by the Connecticut Council on Soil and Water Conservation.
- 12) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.
- 13) Town Engineering Division shall receive copies of all material received by IWWA.
- 14) The applicant shall retain a professional engineer to oversee the construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.
- 15) The post construction maintenance plan addressing the on site drainage system provided on the final plan shall be adhered to.

OLD BUSINESS SCHEDULED FOR DECISION ON JUNE 2, 2014:

90 Raymond Road –Application (IWW #999) of Delamar West Hartford, LLC (Robin Pearson, Attorney) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on May 5, 2014. joint public hearing with the Town Council and Town Plan and Zoning Commission/IWWA held on May 27, 2014. IWWA decision scheduled for June 2, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the IWWA acted by **unanimous vote (5-0)** (Motion/Daniels; Second/Freeman)(Gillette seated for Prestage) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.
2. A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.

90 Raymond Road & Assessor's Parcel Number 5641 1 495 0901, Formerly Known as 495 Trout Brook Drive (located south of Memorial Road, west of Trout Brook Drive, north of the Boulevard and east of Raymond Road) - Application (IWW #1000) of Delamar West Hartford, LLC (Robin Pearson, Attorney) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant is proposing to construct a six-story hotel of approximately 118,000 sf with a footprint of approximately 19,400 sf. Site improvements include a pavilion, parking, driveways, walkways, sidewalks, drainage, grading and extensive landscaping much of which will be located within the upland review area on the property. No direct wetland impacts are proposed. (Submitted for IWWA receipt on May 5, 2014. Presented for determination of significance. Determined to be potentially significant and scheduled for joint public hearing with the Town Council and Town Plan and Zoning Commission/IWWA on May 27, 2014. Joint public hearing held on May 27, 2014. IWWA decision scheduled for June 2, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/Freeman; Second/Seder) (Gillette seated for Prestage) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

90 RAYMOND ROAD
INLAND WETLAND APPLICATION IWW#1000
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **90 Raymond Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1000** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, the applicant's soil scientist and certified professional wetland scientist, Michael Klein of Environmental Planning Services, LLC has submitted a report dated March 14, 2014.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and
- [8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes,

facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located 90 Raymond Road.

This permit is issued and made subject to the following conditions:

- 1) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2) Town Engineering Division shall receive copies of all material received by IWWA and DEEP.
- 3) The wetland permit is subject to full compliance with the Town erosion and sediment requirements.
- 4) This IWWA permit approval shall be stripped onto the final set plan.
- 5) The applicant shall retain a professional engineer to oversee construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.

SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

- 1) The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all sedimentation and erosion control measures are adequately in place and effective. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
- 2) Removal of topsoil will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer. The applicant's engineer shall certify that all erosion and sedimentation controls have been installed according to the approved plan.
- 3) Disturbed areas that will remain idle for extended periods shall be mulched or temporarily seeded for erosion control. In addition, the site contractor shall keep an adequate supply of mulch on site at all times. The Director of Community Services or his designee may order the application of mulch to any area which may have erosion potential.
- 4) The top soil will be stockpiled only in an approved location and shall be contained by baled hay or screen filters which will be installed and maintained around the entire perimeter.
- 5) No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
- 6) Filters or hay bales shall be installed around all catch basins inlet grates.
- 7) During construction, outlets of the drainage system shall be protected by hay bale filtration screens or splash pools.
- 8) As soon as rock and earthwork has been completed and established and the major utility installation finished, the base course of asphalt shall be properly installed to prevent further erosion.
- 9) The accumulated sediment in stilling basins or sediment traps shall be removed on a regular basis.
- 10) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee and shall include the inclusion of an anti-tracking pad at the front of the site.
- 11) The placement and maintenance of hay bales, sediment screens and other erosion and sediment control measures must meet or exceed specifications set forth in 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, by the Connecticut Council on Soil and Water Conservation.
- 12) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.
- 13) Town Engineering Division shall receive copies of all material received by IWWA.
- 14) The applicant shall retain a professional engineer to oversee the construction of all improvements and related facilities and certify they have been constructed in accordance with the approved plan.
- 15) The post construction maintenance plan addressing the on site drainage system provided on the final plan shall be adhered to.

TOWN COUNCIL REFERRALS AND REQUEST FOR REPORTS:

90 Raymond Road - Application on behalf of Delamar West Hartford LLC (“Delamar”), the intended lessee for a portion of the property owned by the Town of West Hartford at 90 Raymond Road, West Hartford (“Property”) to develop and construct an approximately 111-room, six-story hotel with restaurant, outdoor dining, banquet facility and related site improvements on approximately 2.8 acres at the south east corner of the intersection of Raymond and Memorial Roads (“Premises”). Delamar seeks to change the current zoning for the Premises from Central Business District (“BC”) and Special Development District (SDD #36) to a Central Business District-High Intensive (“CDBH”) underlying zone within a new Special Development District designation (SDD #140) and to extend the CDBH zone to the centerline of Memorial and Raymond Roads. (Town Council receipt on April 24, 2014. Joint public hearing of Town Council and TPZ held on May 27, 2014. TPZ referral on June 2, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Daniels; Second/Seder) (Gillette seated for Prestage) to **RECOMMEND APPROVAL** of the subject application.

During its discussion and deliberation on this matter, the Commission made the following findings which it has prepared for the Council’s consideration:

1. The Commission finds that the scale and design of the proposed hotel is extremely compatible and complimentary to the immediately proximate properties and serves as a wonderful extension and transition from Blue Back Square into the residential neighborhood.
2. The Commission finds the proposed rezoning and Special Development District designation to be consistent with the Plan of Conservation and Development.

Ordinance – Permitting Hotels to Provide Full Service Dining -Proposed amendments to Section 177-36E & 177-36G of the West Hartford Code of Ordinances permitting the sale of alcohol pursuant to the “Hotel Permit” and “Hotel Permit for Beer” classes of liquor permit. (Town Council receipt on April 24, 2014. Joint public hearing of Town Council and Town Plan and Zoning Commission held on May 27, 2014. TPZ referral on June 2, 2014.)

After a detailed review of the proposed ordinance, the TPZ acted by **unanimous vote (5-0)** (Motion/Daniels; Second/Seder)(Gillette seated for Prestage) to **RECOMMEND APPROVAL** of the subject ordinance.

Resolution – West Hartford / Delamar Lease Agreement - Resolution of the Town Manager authorizing the execution of a ground lease agreement between the Town of West Hartford and Delamar West Hartford LLC which provides for the lease of real estate by the Town of West Hartford to Delamar West Hartford LLC (90 Raymond Road) together with an option to purchase said property; and provides for the execution of an ancillary parking agreement between Delamar West Hartford LLC, the Town of West Hartford and the West Hartford Center Special Services District to allow for the efficient operation of their respective real estate uses. (Town Council receipt

on April 24, 2014. Scheduled for joint public hearing of Town Council and Town Plan and Zoning Commission on May 27, 2014. TPZ referral on June 2, 2014.)

After a detailed review of the proposed resolution, the TPZ acted by **unanimous vote (5-0)** (Motion/Freeman; Second/Seder)(Gillette seated for Prestage) to **RECOMMEND APPROVAL** of the subject resolution.

11-17 South Main Street – Application on behalf of A.K. Central Limited Partnership, owner of 11 and 13-17 South Main Street, abutting properties on the west side of the South Main Street in the Town Center, requesting a new Special Development District (SDD #137) in order to remove the Masonic Temple building at 11 South Main Street and construct a four-story building in its place with twenty-one (21) residential units on upper floors, 8,500 s.f. of ground floor retail, and a twenty-one (21) space underground parking garage. The properties are currently zoned Central Business District (BC). (Submitted for Town Council receipt on February 25, 2014. TPZ receipt on April 7, 2014. Town Council public hearing scheduled for April 10, 2014. Town Council tabled application until to June 10, 2014. TPZ referral on June 2, 2014.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **majority vote (4-1)** (Motion/Daniels; Second/Seder) (Gillette seated for Prestage) (Gillette voted “no”) to **RECOMMEND APPROVAL** of the subject application.

During its discussion and deliberation on this matter, the majority of the Commission made the following findings which it has prepared for the Council’s consideration:

1. The Commission supports the proposed development concept noting that the overall, high quality architecture, reduced and underground parking and mix of uses is consistent with the Plan of Conservation and Development’s goal of promoting Smart Growth.
2. The applicant should strongly consider additional public outreach efforts including surrounding tenants and business owners that will be affected during demolition and construction.
3. The Commission encourages the applicant to find ways to minimize business, pedestrian and parking disruption during all demolition and construction phases of the project and acknowledges that for a period of time this will be disruptive to the Center, but in the end, the Center will be improved by its completion and inclusion into its built fabric.

The dissenting vote felt that the construction of the proposed building would eliminate a critical pedestrian path from the parking lot to the street and the loss of that alleyway/pedestrian connection would create a block that was too large and out of character with the rest of the Center.

Ordinance Amending Chapter 177-50 of the West Hartford Code of Ordinances – Ordinance amending the fee structure for Planning, Zoning, Subdivision and Inland Wetland applications to

take in account for the increase in costs associated with processing applications. (Submitted for Town Council receipt on May 13, 2014. TPZ receipt on June 2, 2014.)

After a detailed review of the proposed ordinance, the TPZ acted by **unanimous vote (5-0)** (Motion/Daniels; Second/Freeman)(Gillette seated for Prestage) to **RECOMMEND APPROVAL** of the subject ordinance.

ADJOURNMENT: Motion/Seder; Second/Daniels (Gillette seated for Prestage) Vote: (5-0). Meeting adjourned 12:40AM